

**REMARKS**

Claims 1-21 are currently pending in the application.

In response to the outstanding Restriction Requirement in the above-identified application, mailed June 6, 2006, Applicants elect, without traverse, **Group I**, for prosecution on the merits. Group I, claims 1-17, is drawn to a method for detecting tissue hypoxia, classified in Class 435, subclass 7.1.


Applicants are further required to elect a species upon election of Group I. Applicants provisionally elect heart failure in claim 2, a lateral flow immunoassay in claims 4-6, and N-terminal pro-brain natriuretic peptide (N-BNP) in claims 9-10 for search purposes only.

Applicants expressly reserve the right to prosecute non-elected claims and species in other patent applications claiming the benefit of the filing date of this application. Furthermore, Applicants understand that upon allowance of a generic claims, they will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of any allowed generic claims.

Early and favorable consideration of the application is respectfully solicited. The Examiner may address any questions raised by this submission to the undersigned at (617) 832-1738. If any fees are due, the Commissioner is hereby authorized to credit any overpayment or charge any deficiencies to Deposit Account No. **Deposit Account No. 06-1448, ISA-012.01.**

Respectfully submitted,  
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